

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA** \* \*

v. \* **Criminal No. WMN-09-0126**

**JAMES E. JACKSON** \* \*

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

**DEFENDANT'S REQUESTED JURY INSTRUCTIONS  
AND RESPONSE TO GOVERNMENT'S REQUESTED INSTRUCTIONS**

The Defendant, James Jackson, by and through counsel, now submits the following requested jury instructions, in addition to those previously requested by the government:

These proposed instructions are from L. Sand, et. al. Modern Federal Jury Instructions: Criminal (2008).

1. Instruction 2-11: Race, Religion, National Origin, Sex or Age
2. Instruction 2-12: Sympathy
3. Instruction 3A-1: Knowingly
4. Instruction 3A-3: Willfully
5. Instruction 4-2: Reasonable Doubt

The Defense also responds as follows to the Government's requested jury instructions 1 - 46. Defendant does not object to requests 1 - 38, 40 - 44.

Defendant objects to including the bracketed language ( [a false... properly spent]) in Requested Instruction No. 39 (SAND Instruction 36-2). This language is not included in the standard instruction, and does not accurately characterize the law.

Defendant objects to Request No. 45 as submitted (SAND Instruction 36-14). The United States has omitted necessary language that is included in the instruction which does

properly state the law and is helpful to the defense (Specifically, "All that is necessary is that you find that it was contemplated that the document was to be utilized in a matter which was within the jurisdiction of the government of the United States. The defense requests that SAND Instruction 36-14 be given in its entirety.

Defendant requests to giving Requested Instruction No. 46 (SAND Instruction 3A-2); this is not a case of "conscious avoidance" and the instruction requested will not be supported by the evidence presented.

Respectfully submitted,

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/s/  
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**CERTIFICATE OF SERVICE**

I do hereby certify that the foregoing Defendant's Request for Jury Instructions and Response to Government's Requested Instructions was sent via electronic filing to the following:

Jonathan Biran  
Assistant United States Attorney  
U.S. Department of Justice  
36 South Charles Street, 4<sup>th</sup> Floor  
Baltimore, Maryland 21201

Dated this 14th day of May 2009.

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/s/  
STEVEN F. WROBEL (Fed. Bar No. 24985)

ND: 4828-9924-6851, v. 1

